

Wilson Zuluaga
February 22, 2018

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EXHIBIT C

UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY

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INDUSTRIA DE ALIMENTOS ZENU S.A.S.,

PLAINTIFF/COUNTER DEFENDANT

-against- Case No:
2:16-cv-06576-KM-MAH

LATINFOOD U.S. CORP. d/b/a ZENU PRODUCTS CO.
And WILSON ZULUAGA,

DEFENDANTS/COUNTER
CLAIMANTS/THIRD PARTY
PLAINTIFFS

-against-
CORDIALSA USA, INC.
THIRD-PARTY DEFENDANT

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DATE: February 22, 2018

TIME: 1:20 P.M.

DEPOSITION of the Defendants,
LATINFOOD U.S. CORP. d/b/a ZENU PRODUCTS CO.,
Represented by WILSON ZULUAGA, taken by the
Plaintiff, pursuant to Notice and to the
Federal Rules of Civil Procedure, held at the
offices of Reed Smith, LLP, 599 Lexington
Avenue, New York, New York 10022, before
Robert X. Shaw, CSR, a Notary Public of the
State of New York.

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2 W I L S O N Z U L U A G A, called as a
3 witness, having been first duly sworn by a
4 Notary Public of the State of New York, was
5 examined and testified as follows:

6 EXAMINATION BY

7 MR. RAYMOND:

8 Q. Please state your name for the
9 record.

10 A. Wilson Zuluaga.

11 Q. What is your address?

12 A. 116 Franklin Avenue, Seldon, New
13 York 11784.

14 Q. Good afternoon, Mr. Zuluaga.

15 My name is Peter Raymond. I'm with
16 the firm of Reed Smith. Here is my colleague
17 Sarah Levitan. As you know, we represent the
18 Plaintiff Industria De Alimentos Zenu SAS,
19 which I'll refer to as either Plaintiff or
20 Industria to keep things moving more quickly.

21 We are here today to take a
22 relatively short deposition just on the issue
23 of spoliation. I'm going to limit my
24 questions to that issue. We won't be talking
25 about the merits of the underlying case.

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2 There will probably be another deposition
3 down the road on that, but that's what this
4 one is about.

5 A. I understand.

6 Q. Have you ever been deposed before?

7 A. I have not.

8 Q. Okay. I'm sure your lawyer has
9 told you how this works, but just let me give
10 you a few pointers on it.

11 I'm going to be asking you a series
12 of questions today. I would ask that you
13 wait until I'm finished with my question
14 before you answer. If both of us are talking
15 at the same time, it's difficult for the
16 court reporter to take down the answer.

17 If at any time you don't understand
18 or are confused by a question that I ask,
19 please let me know that, and I will endeavor
20 to rephrase it for you. If at any time you
21 need to take a break, go to the bathroom,
22 walk around, just let me know that and we'll
23 stop and accommodate that.

24 The only thing I would ask is if
25 there's a pending question that you answer

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2 the question before -- we don't take a break
3 in the middle of it, but once there's no
4 question pending, obviously you're free to
5 get up and move around whenever you feel like
6 it.

7 A. Thank you.

8 Q. Okay. So, let's get started.

9 You've given your full name and
10 address to the court reporter; is that
11 correct?

12 A. That's correct.

13 Q. Okay. I mentioned a few minutes
14 ago that we're here for the issue of
15 spoliation.

16 Do you have any understanding of
17 what that word means in this context?

18 A. It's been explained to me, that it
19 is the destruction of evidence, kind of like
20 that.

21 Q. Okay. And do you have any
22 understanding of whether you, as a party, or
23 the officer of a party to a litigation, have
24 an obligation to preserve relevant documents
25 and information?